



Lamoine Board of Selectmen

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Minutes of January 7, 2010

Chair Jo Cooper called the meeting to order at 7:02 PM

Present were: Selectmen Richard Fennelly Jr., Gary McFarland, Kermit Theall, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Transfer Station manager William Fennelly, Shellfish Ordinance Committee member Paul Davis, Deputy Harbor Master Kevin Murphy, Road Commissioner Michael Jordan, Harbor Master David Herrick and Parks Commissioner Julie Herrick. Selectman Cynthia Donaldson was absent due to the birth of a grandchild.

Agenda Review – No changes were proposed to the printed agenda and there was no addendum.

Minutes of December 17, 2009 – Richard said he had a couple of minor corrections. Jo moved to approve the minutes with the corrections. Gary 2nd. **Vote in favor was 4-0.**

Expenditure Warrant 13 – Selectmen signed warrant 13 for \$27,721.13. Stu noted that there was no snow plow bill and no school bill – those would be on warrant 14. Kermit remarked that Nankervis did a good job on the roads during the storm the previous weekend. There was a brief discussion about the MDOT's plowing/ice removal process.

Cash & Budget Report – Richard asked about the fund balance portion of the report and if the town could expect a year end fund balance as reported. Stu said no, as the figure reflects operations as of the report date, and much of the budget has yet to be expended. He noted difficulties formulating a meaningful report, such as the road budget not being plugged into the road fund.

Checking Account Reconciliation – Selectmen signed the statement expressing satisfaction with the checking account reconciliation which was supplied with the evening's materials.

Excise Tax Report – Selectmen reviewed the report. Stu noted that he added fiscal year figures and budgets for those years for comparison purposes.

Auditing Contract – Stu reported that James Wadman, CPA had submitted a 3-year extension offer. Kermit said it looked like a very favorable price. Jo moved to approve the extension. Kermit 2nd. **Vote in favor was 4-0. Jo signed the agreement.**

Meeting with Harbor Master – Jo said the purpose of the meeting was to stay in touch with town staff and boards so they can bring things to the attention of the Selectmen and express any concerns. Harbor Master David Herrick said things ran fairly smoothly last summer – no boats broke loose. He said he's had numerous calls from people passing through looking for a temporary mooring. He said the mooring the state park uses sank, and suggested the town could put in a couple of guest moorings. He suggested a 4,000 to 5,000 pound stone to hold a good sized boat. Jo asked what the cost would be. Mr. Herrick said he could price it out over the winter. He suggested a rental fee might be

charged. Deputy Harbor Master Kevin Murphy asked about insurance needed for that. Stu said he would check that out. He said town meeting permission would be needed for a guest mooring rental program. A discussion followed about the park mooring and the potential for a guest mooring.

Mr. Murphy suggested that the town approach the park in regard to upkeep of the floats and ramp. Mr. Herrick said he would try to see if there might be some state money available to upgrade the boat ramp at the park, and he would ask park officials to be included. He said maybe there could be a meeting when the park manager returns in the spring.

Jo said things at the harbor appear to be running smoothly and the area looks good. Mr. Herrick suggested that signage would be in order reminding harbor users that no wake is allowed and giving the phone numbers for the harbor masters. Richard asked if there was any problem with the skiffs on the beach. Mr. Herrick said a few were left for the winter, and he's spoken with one person who will remove theirs. He said the park manager doesn't like having boats left there in the winter.

Mr. Herrick said a few of the stickers did not adhere well to the mooring balls this year. Stu said he would check with the printing company about the adhesive used. Mr. Herrick noted that there were 25-to-30 boats that used the harbor last summer, out of 60-available moorings.

Stu said he suggested that money for the startup of the Shellfish Conservation program come from the Harbor Fund. Neither Mr. Herrick nor Mr. Murphy had any objection. Jo thanked the Harbor Masters for their work.

Meeting with Transfer Station Personnel – William Fennelly said that everything seems fine so far at the transfer station. He said he thinks the single stream recycling proposal is an interesting idea. Jo said the Board would get some more numbers, because once the program starts, it's difficult to revert back.

Jo asked if there has been any issue with the snowfall. Mr. Fennelly said it takes a little more time to take care of the snow. Jo asked if Mr. Fennelly had any suggestions. Mr. Fennelly said maybe eliminating the cardboard dumpsters and putting the cardboard in the regular trash might be more cost effective. There was a discussion about cardboard recycling elimination, single stream recycling, and the history of recycling.

Mr. Fennelly said he would like to repaint the wooden garage buildings. He said he would like an eyewash station and a small first aid kit at the transfer station. Stu said he would be glad to order those right away. Mr. Fennelly said there have been no complaints. Jo said she was impressed by the cleanliness of the facility. Mr. Fennelly said he enjoys the compliments.

Shellfish Ordinance – Jo said she's impressed by the amount of work going into the ordinance. Paul Davis said Lamoine is leading the way. Richard said the next meeting is Monday at Ellsworth City Hall. Jo said she recently attended a meeting, and folks

were bragging about how the towns are working together. Mr. Davis said there is still a lot of work to do to pull the program together. Richard asked if Mr. Davis had heard anything about which town would act to administer the program. Mr. Davis said everyone assumes it will be Ellsworth. Richard noted that 10% of the license fees go to the administering town.

Jo asked if the effort is going OK. Mr. Davis said yes. He said Jim Norris and Jo Porada both believe the process is on track. Jo asked if they are getting a handle on the funding issues. Mr. Davis said the key is to keep pushing forward. He said an effort 5-to-6 years ago failed because it lost momentum. Richard said it looks like there will be some state money for start up. Mr. Davis said the Department of Marine Resources is pushing for the program. Richard said cash flow will be difficult in the startup year, and perhaps the state can help bridge the gap.

Richard asked Mr. Davis if he thought all seven towns would join. Mr. Davis said he thinks they will. He said state officials are talking up the idea positively. Richard said he heard Gouldsboro might be interested in the future. A short discussion followed as to the size of the district.

Mr. Davis said the next meeting will tell a lot. Jo asked if the next step is to have the various towns place the matter on their town meeting warrants. Richard said the hope is to start selling licenses next June. A short discussion followed in regard to town meeting timing.

Business Development – Stu said no new communications have come in. Jo noted that US Senator Olympia Snowe is meeting with the business community in Ellsworth next week.

Town Meeting Draft Warrant – Stu asked if the proposed shellfishing budget should go before the budget committee. Richard said it should. There was a brief discussion about harbor articles. Selectmen said it would be preferable to build the mooring rental permission into proposed article 30. A couple of minor corrections to the warrant were noted.

Draft Town Report – Selectmen noted there were a couple of minor corrections needed. Stu noted there were some problems with the photocopier after the maintenance company did the preventive maintenance yesterday. He said he would probably put a new copier RFP on the next agenda.

Other Business – Town Meeting by Referendum – Richard said he wanted to revisit the issue of voting by referendum for town meeting. He said the Board has the power if it wishes to call a town meeting by referendum, but the only way to know if that's what the townspeople want is to ask them. Jo said she knows the board has the power but she's hesitant to set it in stone for eternity. Richard said it can't be done without a charter. Gary said he'd received a couple of phone calls in favor of the idea.

Kermit asked what the pros and cons are. Richard said he's concerned that the turnout at the open town meeting is very low and does not give a good, representative view of the town. He said some of the reasons people don't attend the annual open town meeting is that they don't want to vote in public; the elderly find it difficult to sit on metal seats for hours, and if it's in the winter, people who are away cannot participate. He said a referendum turns out more voters. Jo said the referendum method might start out with high participation and then drop. She said the major thing with an open town meeting is that it gives a chance for townspeople to discuss matters before voting. Kermit asked if there would still be a public meeting. Richard said there would be a public hearing before the referendum. A short discussion followed.

Jo said the Board could debate this again. She asked if this was coming up because it's town meeting season or was there another reason. Richard said there has been an undercurrent since a petition was submitted a couple of years ago and was turned down by the board. Jo said she was frustrated by the discussion of the various numbers in regard to town meeting participation.

Jo said she was interested that Selectmen had received calls, because she has not. Richard said he received two calls in the past week. Jo said she hoped people would be willing to talk to the Selectmen as a board. She said she's not against referendum voting. She said the town meeting is long, but it's a tradition, and there is value in that part of the democratic process. She said she would be willing to listen to people as part of the Board. Richard said if people see the Selectmen discussing the issue and one seems open to the idea of referendum voting, then that Selectman will get the phone calls.

Jo said it would take a lot to convince her to do something differently for town meeting. Kermit said he came from a large community, and he prefers going to the gym and discussing the issues.

Stu asked for clarification on what Richard was proposing. Richard said it was to simply ask voters in a non-binding advisory vote whether they prefer the open town meeting or to vote on the town meeting issues by secret ballot referendum. There was a long discussion about having concerned citizens present the case to the Board. Richard said there was sentiment among the petition signers last time to be heard, but the Board stood in the way of putting it to a vote. Stu said the Board blocked an ordinance from being voted on. A discussion followed on the petition process and representation of the majority in town.

Jo said her concerns include the potential length of the ballot and last minute propaganda, as well as absentee voting.

Selectmen agreed the matter would be on the next meeting agenda for January 21st. Stu noted the Superintendent of Schools would like to meet with the Board on that evening as well.

Notice of Violation – Jo asked if the notice of violation that was sent out in regard to Francis Drive was to put it on record. Stu said it was, and he's asked the Code Enforcement Officer to do a follow up inspection, but has not heard the results of that.

There being no further business, the meeting adjourned at 8:38 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.

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